

STATE OF SOUTH DAKOTA  
TRANSPORTATION COMMISSION

REQUEST FOR STATE BOARD WAIVER  
PURSUANT TO SDCL 3-23-3

Date: January 29, 2018

Name of Board Member or Former Board Member: Rodney Fouberg

Brief explanation of contract for which a waiver is requested:

Agreement for Voluntary Right of Way Donation. Perpetual Easement for shared use Path/Recreational Trail. Project Number P-TAPU (13) PCN 05C9. Aberdeen SD. Project number 7 1/24/2018 SDDOT Letting. 0.296 Acres (5' wide by 2,581.8 long). Dated 16<sup>th</sup> Day of January, 2017.

a) Parties to the contract

Glenna N. Fouberg          Donor  
City of Aberdeen SD

b) Board Member's role in the contract

DOT Commissioner/Board member Rodney Fouberg is the husband of Glenna N. Fouberg.

c) Purpose and objective of the contract

The City of Aberdeen requested the 5' wide easement to accommodate a 10' trail with a 6' grass strip between the trail and 15<sup>th</sup> Ave NE.

d) Consideration or benefit conferred or agreed to be conferred upon each party

Donated. One Dollar (\$1.00) and other good and valuable consideration.

e) Duration of the contract

The perpetual easement shall be in effect until the recreational trail is abandoned by the proper action of the City of Aberdeen, SD.

Signature of Requesting Party: \_\_\_\_\_



Date \_\_\_\_\_

1/29/18

ANNUAL DISCLOSURE FOR AUTHORITY/BOARD/COMMISSION MEMBER  
PURSUANT TO SDCL CHAPTER 3-23

**THIS IS A PUBLIC DOCUMENT**

Name of Member: Rodney Foubert

Name of Board, Authority, or Commission: South Dakota Transportation Commission

The Member shall disclose below any contract in which the Member has an interest or from which the Member derives a direct benefit if the contract is:

- 1) With the state agency to which the Member's board, authority, or commission is attached for reporting or oversight purposes and which contract requires the expenditure of government funds;
- 2) With the state and which contract requires the approval of the Member's board, authority, or commission and the expenditure of government funds; or
- 3) With a political subdivision of the state if the political subdivision approves the contract and:
  - a. Is under the regulatory oversight of the authority, board, or commission, or
  - b. Is under the regulatory oversight of the agency to which the Member's board, authority, or commission is attached.

The Member shall disclose the contract even though no additional authorization is needed from the Member's board, authority, or commission to have an interest or derive a benefit from the contract.

The Member shall also identify every entity in which the Member possesses an ownership interest of five percent or greater if:

- 1) The entity receives grant money from the State, either directly or by a pass-through grant or
- 2) The entity contracts with the State or any political subdivision for services.

1. **Contracts in which you have an interest pursuant to SDCL Chapter 3-23 and which do not violate any other provision of law** – Provide the following for each contract in which you have, or will have, an interest. For further information see SDCL 3-23-2.1 and 3-23-3.1.

Description of the contract	Parties	Description of your interest/role in the contract	Date contract was previously disclosed, if applicable

*Attach additional pages, if necessary.*

2. **Contract in which you have a direct benefit pursuant to SDCL Chapter 3-23** – Provide the following for each contract from which you derive, or will derive, a direct benefit. For more information see SDCL 3-23-2, 3-23-2.2, and 3-23-3.1.

Description of the contract	Parties	Description of the direct benefit	Date contract was authorized
Agreement for Voluntary Right of Way Donation. Perpetual Easement for Shared Use Path/Recreational Trail. Project Number P-TAPU (13) PCN 05C9. Aberdeen SD project number 7 1/24/2018 SDDOT Letting. 0.296 acres (5' wide by 2,581.8' long). Dated 16 <sup>th</sup> day of January, 2017. Easement donated. One Dollar (\$1.00) and other good and valuable consideration.	Glenna N. Fouberg-Donor  City of Aberdeen SD	I am the husband of Glenna N. Fouberg-Donor	1/16/2017

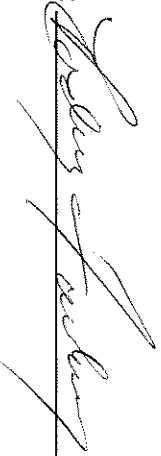
3. Entities in which you possess an ownership interest of five percent or more that receive grant money from the State, either directly or by a pass-through grant, or that contract with the State or any political subdivision for services – Provide the following for each such entity. See SDCL 3.23-3.1.

Description of the contract or grant	Party in which you possess the interest	State agency or subdivision

Attach additional pages, if necessary.

The Member shall complete a separate authorization request for any contract identified above that requires authorization from the Member's board, authority, or commission in order for the Member to legally derive a direct benefit.

Signature of Member:



Date

1/29/18